

**Remarks/Arguments**

The Office Action mailed August 3, 2006 has been reviewed and carefully considered.

Claims 1 and 6 have been amended to correct minor typos in the same. Claims 1- 12 remain pending in this application.

Reconsideration of the above-identified application in view of the following remarks, is respectfully requested.

Claims 1-6 and 8-11 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Published application no. 2003/0013452 A1 to Hunt et al.

Hunt et al. discloses a Hierarchical Cellular Radio Communication System that includes a plurality of pico cells 106 and an umbrella macro cell 102. The pico cells have a controlling primary station 108, and the macro cell 102 has a controlling primary station 104. The secondary stations 110 of Hunt et al. are the mobile communication devices. The secondary station 110a, which is not in the coverage area of a pico cell 106, communicates with the macro cell's base station (BS) 104 via a dedicated channel 112. Another secondary station 110b, which is in the coverage area of a pico cell 106, communicates directly with the respective pico cell's BS 108 via a dedicated channel 114 (See paragraph 0021).

Hunt et al. further explains that their invention is for providing more effective management of a radio link between the system and a mobile station (110). This is done by the hierarchical structure that allows a communications link to be split between two types of cells, such that control data is passed over a control sub-channel 212 between a terminal 110 and a BS 104 controlling a macro cell 102, and user data is passed over a data sub-channel 214 between the terminal 110 and BS 108 controlling a pico cell 106 (See Paragraph 0023].

Claim 1, as originally presented, is duplicated here with corresponding reference numerals added for purposes of this discussion:

1. (Original) A method for achieving wireless communications in a network having at least one macro cell (14) for communicating both voice and data with a mobile communications device (16) across a first wireless link (17) and, at least one micro cell (32), with a smaller coverage area an higher capacity per user than the macro cell, for communicating data with the mobile communications device across a second wireless communication link (33), the method comprising the steps of:

communicating signaling information between one micro cell (32) and the one macro cell (14) via a third wireless channel (50) in response access of the micro cell by the mobile communications device; and

controlling the operation of the micro cell responsive to the signaling information.

The present principles, as originally claimed, clearly establishes a "third wireless channel" 50 directly between the micro cell 32 and the macro cell 14 when a mobile device 16 accesses the micro cell 32 via the second wireless link 33.

It is respectfully submitted that *Hunt et al.* does not disclose, nor even remotely suggests a communication link directly between the macro cell 102 and the pico (micro) cells 106 when the mobile station 110 attempts to access the micro cell. In fact, *Hunt et al.* actually teaches away from such concept by showing that the mobile station 110 has two separate communication links 212 and 214 to the BS 108 and the BS 104, respectively. Thus, there is no showing or teaching by *Hunt et al.* that the BS 104 of the macro cell 102 can directly connect and link to the BS 108 of a pico cell 106 when the mobile station 110 accesses the pico cell 106.

Independent claim 6, as originally presented, recites, *inter alia*, ... "a third wireless channel for communicating signaling information between the one micro cell and the one macro cell via in response access of the micro cell by the mobile communications device to enable the controller to also control the operation of the macro cell."

As noted above, *Hunt et al.* neither discloses nor even remotely suggests the use of a third wireless communication channel for direct communication between the pico (micro) cell and the macro cell. Therefore, *Hunt et al.* cannot anticipate the system and method of the present principles. Furthermore, in view of the contrary teachings of *Hunt et al.* to the present principles, *Hunt et al.* taken singly or in any combination with other cited references cannot obviate claimed method and system. Reconsideration and withdrawal of the rejection and early allowance on the merits is respectfully requested.

Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Published application no. 2003/0013452 A1 to *Hunt et al.* in view of *Westerberg* (USP 6,058,302). For at the reasons cited above with respect to independent claim 6, *Hunt et al.* taken singly or in any combination with the teachings of *Westerberg*, still fails to suggest the third wireless communication direct link between the micro cell and the macro cell.

Claims 12 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Published application no. 2003/0013452 A1 to *Hunt et al.* in view of *Westerberg* (USP 6,058,302) in further view of *Horneman et al.* (USP 6,959,048). For at the reasons cited above with respect to independent claim 6, *Hunt et al.* taken singly or in any combination with

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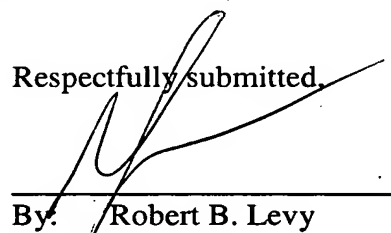
the teachings of *Westerberg*, and or *Horneman et al.*, still fails to suggest the third wireless communication direct link between the micro cell and the macro cell.

### Conclusion

In view of the foregoing amendments to the claims and the accompany remarks, applicants solicit entry of this amendment and allowance of the claims. If, however, the Examiner believes such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6820, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Kindly charge the cost of the additional independent claim, as well as any other fees that may be due, to Deposit Account **07-0832**.

Respectfully submitted,



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